

Attorney Docket No. 14935US01

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION OF:

MARC C. PISCITELLO

SERIAL NO. 10/767,519

FILED: JANUARY 29, 2004

**FOR: ROTARY WEB CUTTING
SYSTEM WITH RESILIENT
MOUNTING ASSEMBLY FOR
SHAPED KNIFE BLADES**

GROUP ART UNIT: 3724

EXAMINER: S. Choi

CONFIRMATION NO. 5528

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) 1450, on December 27, 2005.

)

) 

) Robert W. Fieseler

) Registration No. 31,826

) Attorney for Applicant

) Customer No. 23446

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits this Response to Restriction Requirement in response to the Office Action dated November 25, 2005, in which claims 2-9 and 16-20 of the

present application were determined to be subject to a restriction requirement among four patentably distinct groups.

ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT

Applicants hereby provisionally elect, with traverse, Group I claims 2-6 and 17, which define a knife holder formed of resilient elastomeric material, for prosecution on the merits of the present application.

REMARKS/ARGUMENTS

Applicant has provisionally elected, with traverse, Group I claims 2-6 and 17, which are drawn to a knife holder formed of resilient material (classified in class 83, subclass 348) for prosecution on the merits of the present application. Applicant hereby reserves the right to pursue non-elected Group II claims 7-9, which are drawn to a plurality of slots (classified in class 83, subclass 698.41), Group II claim 16, which is drawn to a knife holder having a diameter less than a diameter of an anvil roller (classified in class 83, subclass 493), and Group IV claims 18-20, which are drawn to method of cutting a traveling web (classified in class 83, subclass 37), in separate continuing application(s) filed during the pendency of the present application.

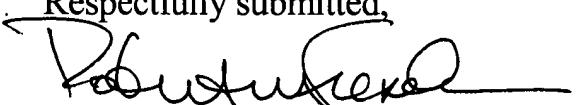
The basis of the applicant's traversal of the above provisional election of Group I claims 2-6 and 17 is that Group II claims 7-9, Group III claim 16 and Group IV claims 18-20 are sufficiently related in technical subject matter to the Group I knife holder claims that the Group II, III and IV claims could be readily searched and examined together with the elected Group I claims.

The November 25, 2005 Office Action indicated that claims 1 and 10-15 will be examined if any of Groups I-III is elected. Claims 1-15 and 17 should therefore remain pending in the present application.

The Office Action also indicated that claim 1 links the subject matter of Groups I-III, and that the restriction requirement as to the linked subject matter is subject to the non-allowance of linking claim 1. Applicant therefore requests that the restriction requirement as to Groups I-III be withdrawn, and that Group II claim 16 and Group III claims 7-9 be restored to the present application and examined together with claims 1-15 and 17, upon the allowance of claim 1.

The Examiner is invited to telephone the applicant's undersigned attorney at (312) 775-8123 if any unresolved matters remain concerning the present restriction requirement.

Please charge any fees incurred in connection with this submission to Deposit Account No. 13-0017.

Respectfully submitted,


Robert W. Fieseler
Registration No. 31,826
Attorney for Applicant

McANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661
Telephone (312) 775-8000
Facsimile (312) 775-8100

Dated: December 27, 2005